APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/407,293	09/29/1999	JAMES ANTHONY BALNAVES	169.1468	2576

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EXAMINER
ROMERO, ALMARI DEL CARMEN

ART UNIT	PAPER NUMBER
2176	11

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/407,293	Applicant(s) BALNAVES ET AL.
	Examiner Almari Romero	Art Unit 2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **3** MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *14 May 2003* .

2a) ☒ This action is **FINAL.** 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-25* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *10* .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 4/08/03 and the IDS filed on 5/14/03.

2. The rejection of claims 13 and 14 under 35 U.S.C. 112 second paragraph, as being indefinite has been withdrawn as necessitated by amendment.

3. Claims 17-25 are newly added. Claims 1-25 are pending in the case. Claims 1, 6, 9, 10, 11, 12, 15, 16, and 20 are independent claims.

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on 5/14/03 has been considered by the Examiner.

Drawings

5. The formal drawings filed on 9/29/99 are objected to as indicated in the attached PTO-948 form. Formal corrected drawings can be filed at allowance.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   **Claims 1, 3-4, 6, 15-16, 20-21, and 23-24 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Taguchi (USPN 5,608,859 - issued on 3/1997) in view of Microsoft Press, ·

"Computer Dictionary", 1997, 3rd Edition, page 305.

Regarding independent claims 1 and 15, Taguchi discloses:

A method of processing at least part of a data set of multi-media input information (Taguchi on

col. col. 4, lines 9-14: teaches proscessing sets (one or more) of media presentation information

including multimedia data (first data and second data) within a multi-media application), data set

comprising at least one of video data, still-image data, and audio data (Taguchi on col. 1, lines

10-15: teaches multimedia), the method comprising the steps of

determining first data from at least one of the data set, and second data associated with

the at least one data set (Taguchi col. 4, lines 9-14 and col. 15, lines 38-43: teaches 2 sets of

media presentation information including multimedia data and information);

determining, depending upon the fist data, a set of instructions from a to template

(Taguchi on col. 1, lines 24-25 and col. 4, lines 46-55: teaches template) and

applying the instructions to the data set to produce processed output data (Taguchi on col.

5, lines 9-16: teaches outputting device to display data).

However, Taguchi does not explicitly disclose "meta-data".

Microsoft Press on page 305: teaches the definition of metadata as data about data.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Microsoft Press into Taguchi to provide a metadata

substituted as media presentation information of multimedia type which will enhance the

template of presentation information to edit.

Regarding dependent claims 3 and 23, Taguchi discloses:

applying the temporal mapping process to the input data set to produce modified

temporally structured processed output data (Taguchi on col. 4, lines 46-55: teaches adding

media or object with presentation position information onto the template).

Regarding dependent claims 4 and 24, Taguchi discloses:

applying the temporal mapping process to the input data set to produce modified

temporally structured data; and applying the effects mapping process to the modified temporally

structured data to produce the processed output data (Taguchi on col. 4, lines 46-55: teaches

presentation effect information of the data can also be added onto template).

Regarding independent claims 6 and 16, Taguchi discloses:

A method of processing at least part data set of multi-media information (Taguchi on col. col. 4,

lines 9-14: teaches proscessing sets (one or more) of media presentation information including

multimedia data (first data and second data) within a multi-media application), the data set

comprising at least one of video data, still-image data, and , audio data (Taguchi on col. 1, lines

10-15: teaches multimedia), the method comprising the steps of:

determining first data from at least one of a) data set, and b) second data associated with

said at least one data set (Taguchi on col. 4, lines 9-14 and col. 15, lines 38-43: teaches 2 sets of

media presentation information including multimedia data and information);

and determining, depending upon the first data, a set of instructions from a template

(Taguchi on col. 1, lines 24-25 and col. 4, lines 46-55: teaches template).

However, Taguchi does not explicitly disclose "meta-data".

Microsoft Press on page 305: teaches the definition of metadata as data about data.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Microsoft Press into Taguchi to provide a metadata

substituted as media presentation information of multimedia type which will enhance the

template of presentation information to edit.

Regarding independent claim 20, Taguchi discloses:

A method of processing at least part data set of multi-media input content (Taguchi on col. col. 4,

lines 9-14: teaches proscessing sets (one or more) of media presentation information including

multimedia data (first data and second data) within a multi-media application) comprising at

least one of video data, still-image data, and , audio data (Taguchi on col. 1, lines 10-15: teaches

multimedia), the method comprising the steps of:

determining data for the input content (Taguchi col. 2, lines 35-41: teaches inputting by a

user of the scenario editing apparatus upon selection of media presentation information,

determination of a presenation information template);

determining, depending upon the data, at least one of a temporal mapping process and an

effects mapping process from a template; and applying the at least one of a temporal mapping

process and the effects mapping process (Taguchi on col. 4, lines 46-55: teaches adding to the

template (mapping) a number of data which an object, media types, presentation position,

presentation time information, and presentation effect information) to said at least part of the

data set to produce processed output content (Taguchi on col. col. 4, lines 9-14: teaches

proscessing sets (one or more) of media presentation information including multimedia data (first

data and second data) within a multi-media application for a scenario (output)).

However, Taguchi does not explicitly disclose "meta-data".

Microsoft Press on page 305: teaches the definition of metadata as data about data.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Microsoft Press into Taguchi to provide a metadata

substituted as media presentation information of multimedia type which will enhance the

template of presentation information to edit.

Regarding dependent claim 21, Microsoft Press discloses:

wherein the meta-data comprises at least one of first meta-data from the input content,

and second meta-data related to the input content (Taguchi col. 4, lines 9-14 and col. 15, lines

38-43: teaches 2 sets of media presentation information including multimedia data and

information) and (Microsoft Press on page 305: teaches the definition of metadata as data about

data).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Microsoft Press into Taguchi to provide a metadata

substituted as media presentation information of multimedia type which will enhance the

template of presentation information to edit.

8.   **Claims 2, 7-8, 13, 17-19, and 22 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Taguchi-Microsoft Press as applied to claim1, 3-4, 6, and 15-16 above,

and further in view of Gill et al. (USPN 6,005,560 - filed on 7/1997).

Regarding dependent claims 2 and 22, Taguchi-Microsoft Press discloses the invention

substantially as claimed as described *supra*. However, Taguchi-Microsoft Press do not explicitly

disclose "receiving information from a user dependent upon a user perception of at least one of

the input data set, and the processed output data; and incorporating the user information into the first meta-data".

Gill et al. (Gill) on col. 8, lines 6-44 and col. 13, lines 15-22: teaches inputting of data which can be publisher information into plurality of objects integrated into page layout.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Gill into Taguchi-Microsoft Press to provide to input data such as publisher information into the metadata of the multimedia data in order to ensure the accuracy of information relating to the multimedia object.

Regarding dependent claims 7 and 8, Gill discloses:

wherein the template is constructed using heuristic incorporation of experiential information of an expert (Gill on col. 8, lines 6-44 and col. 13, lines 15-22: teaches inputting of data which can be publisher information into plurality of objects integrated into page layout).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Gill into Taguchi-Microsoft Press to provide to input data such as publisher information into the metadata of the multimedia data in order to ensure the accuracy of information relating to the multimedia object.

Regarding dependent claim 13, Taguchi discloses:

wherein the template includes one or to more of rules and references heuristically based upon experience of an expert (Taguchi on col. 5, lines 9-16: teaches based on user selection displays of presentation positions, presentation timings, presentation effects, and media data).

Regarding dependent claims 17-19, Taguchi discloses:

constructing, using the template and the first meta-data, a series of directions which refer to at least one of (a) segments of the at least one data set, (b) segments of the template, and (c) other information; and resolving the references thereby to compile the directions into the set of instructions (Gill on col. 8, lines 6-44, col. 11, lines 3-13, col. 13, lines 15-39, and on col. 14, lines 19-43: teaches create multimedia presentation data including text, image data, and layout features including the use of templates; instructions may be applied to the layout system).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Gill into Taguchi-Microsoft Press to provide to input data such as publisher information into the metadata of the multimedia data in order to ensure the accuracy of information relating to the multimedia object.

9. **Claims 9-10, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taguchi (USPN 5,608,859 - issued on 3/1997) in view of Gill et al. (USPN 6,005,560 - filed on 7/1997).**

Regarding independent claim 9, Taguchi discloses:

A method of processing at least part of a data set of multi-media input information (Taguchi on col. col. 4, lines 9-14: teaches proscessing sets (one or more) of media presentation information including multimedia data (first data and second data) within a multi-media application), the data set comprising at least one of video ,data, still-image data, and audio data (Taguchi on col. 1, lines 10-15: teaches multimedia), the method comprising the steps of:

applying a template to the input data set, wherein the template comprises a temporal mapping process (Taguchi on col. 4, lines 46-55: teaches adding media or object with

presentation position information onto the template), and wherein the applying step comprises

the sub-step of:

applying the temporal mapping process to the data set to produce modified temporally

structured processed output data (Taguchi on col. 4, lines 46-55: teaches adding media or object

with presentation position information onto the template).

However, Taguchi does not explicitly disclose "whereby the template is constructed

using heuristic incorporation of experiential information of an expert".

Gill on col. 8, lines 6-44 and col. 13, lines 15-22: teaches inputting of data which can be

publisher information (experiential information) into plurality of objects integrated into page

layout.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Gill into Taguchi to provide to input data such as publisher

information into the information of the multimedia data in order to ensure the accuracy of

information relating to the multimedia object.

Regarding independent claim 10, Taguchi discloses:

A method of processing at least part of a data set of multi-media input information (Taguchi on

col. col. 4, lines 9-14: teaches proscessing sets (one or more) of media presentation information

including multimedia data (first data and second data) within a multi-media application), the data

set comprising at least one of video data, still-image data, and audio data (Taguchi on col. 1,

lines 10-15: teaches multimedia), the method comprising the steps of

applying a template to the data set, wherein the template comprises at least

each of a temporal mapping process and an effects mapping process process (Taguchi on col. 4,

lines 46-55: teaches adding media or object with presentation position information onto the

template), and wherein the applying step comprises the sub-steps of:

applying the temporal mapping process to the input data set to produce modified

temporally structured data (Taguchi on col. 4, lines 46-55: teaches adding media or object with

presentation position information onto the template); and

applying the effects mapping process to the modified temporally structured data

to produce the processed output data (Taguchi on col. 4, lines 46-55: teaches presentation effect

information of the data can also be added onto template).

However, Taguchi does not explicitly disclose "whereby the template is constructed

using heuristic incorporation of experiential information of an expert".

Gill on col. 8, lines 6-44 and col. 13, lines 15-22: teaches inputting of data which can be

publisher information (experiential information) into plurality of objects integrated into page

layout.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Gill into Taguchi to provide to input data such as publisher

information into the information of the multimedia data in order to ensure the accuracy of

information relating to the multimedia object.

Regarding dependent claim 14, Taguchi discloses:

wherein the template includes one or to more of rules and references heuristically based

upon experience of an expert (Taguchi on col. 5, lines 9-16: teaches based on user selection

displays of presentation positions, presentation timings, presentation effects, and media data).

10.   **Claims 5, 11-12, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taguchi-Microsoft Press-Gill as applied to claim 1-4, 6-10, and 13-16 above, and further in view of Jain et al. (USPN 6,144,375 - filed on 8/1998).**
Regarding dependent claims 5 and 25, Taguchi-Microsoft Press-Gill discloses the invention substantially as claimed as described *supra*. However, Taguchi-Microsoft Press-Gill does not explicitly disclose "live capture data set segment".

Jain et al. (Jain) on col. 6, lines 9-13 and col. 16, lines 35-40: teaches live capture of video/audio.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Jain into Taguchi-Microsoft Press-Gill to provide a way to capture live video and audio data as multimedia type data to be displayed in order to provide a highly flexible multimedia system.

Regarding independent claims 11 and 12, Taguchi-Microsoft Press-Gill discloses the invention substantially as claimed as described *supra*. However, Taguchi-Microsoft Press-Gill does not explicitly disclose "capture input data set".

Jain et al. (Jain) on col. 6, lines 9-13 and col. 16, lines 35-40: teaches live capture of video/audio.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Jain into Taguchi-Microsoft Press-Gill to provide a way to capture live video and audio data as multimedia type data to be displayed in order to provide a highly flexible multimedia system.

Response to Arguments

11.   Applicant's arguments filed on 4/08/03 have been fully considered but they are not persuasive.

A)   Regarding Applicant's remarks on pages 12-16:

Referring to claim 1, the "data set" disclosed in the preamble of the claimed invention is disclosed as "comprising at least one of video data, still-image data, and audio data".

Taguchi does disclose this "data set" on col. 1, lines 10-15: teaches a scenario of multimedia application (data set) comprising presentation information including the presentation position of at which position of a screen image data, text data, sound data or some other data should be each presented or to which data each such data should be presented in a side-by-side relationship; on col. 4, lines 9-14: teaches sets (one or more) of media presentation information including multimedia data (first data and second data) within a multi-media application.

B)   Regarding Applicant's remarks on pages 16-17:

Referring to amended claim 1, the "processing at least part of a data set" disclosed in the preamble of the claimed invention is taught by Taguchi on col. col. 4, lines 9-14: teaches proscessing sets (one or more) of media presentation information including multimedia data (first data and second data) within a multi-media application, in other words, the multimedia application (data set) comprises of one or more media presentation (at least part of a data set)).

Conclusion

11.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing
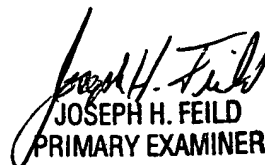
date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Romero whose telephone number is (703) 305-5945. The examiner can normally be reached on Mondays - Fridays (7:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

AR
June 12, 2003

JOSEPH H. FEILD
PRIMARY EXAMINER